IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL MISC. APPLICATION NO.1957 OF 2007
WITH
CRIMINAL MISC. APPLICATION NO.1958 OF 2007

H.H.Furniture .....Applicant.
Vs.
Kataria Textile Mills & Anr. ...Respondents.

Mr.I.M.Khairdi, adv. for the Applicant.
Mr.Agandsurve, adv. for the Respondent No.1.
Ms.M.M.Deshmukh, APP for the State.

CORAM : J.H.BHATIA, J.
DATE : JUNE 20, 2007.

P.C.

1. Heard Mr.I.M.Khairdi the learned counsel for the applicant, Mr.Agandsurve the learned counsel for the Respondent No.1 and Ms.M.M.Deshmukh, APP for the State.

2. On the basis of two complaints bearing S.T.C. No.6210 of 2002 and S.T.C.No.178 of 2003 filed by the respondent no.1, the present applicant was convicted under Section 138 of the Negotiable Instruments Act and was sentenced to undergo S.I. of six months and to pay compensation amount. The applicant preferred appeal no.12 of 2007 and 13 of 2007 challenging the conviction and sentence. By order dated 3-2-2007, the Sessions Court directed the applicant to deposit 50% of the compensation amount within one month as a condition for suspension of substantive sentence. He could not deposit the amount within specified period and

thereafter, he moved an application for extension of time, which appears to have been rejected on 8-6-2007 and the Additional Sessions Judge directed the Magistrate to proceed with execution of order of conviction and sentence. The applicant has challenged the said order through these two applications.

3. Mr. Khairdi the learned counsel for the applicant makes a statement that the applicant needs further 6 weeks time to arrange for the funds and to deposit 50% of the compensation amount in both the matters as directed by the Sessions Court. Therefore, he seeks further 6 weeks time for compliance of that order. Mr.Agandsurve the learned counsel for the respondent no.1 has no objection to the same.

4. Therefore, the applicant is hereby granted 6 weeks time, i.e., upto 1st August, 2007 to deposit the amount and subject to depositing the amount within stipulated period, substantive sentence in both the matters shall remain suspended pending the appeals. With aforesaid directions, both these applications stand disposed off.

[J.H.BHATIA, J.]